

AMENDED IN SENATE APRIL 23, 2014

AMENDED IN SENATE APRIL 10, 2014

SENATE BILL

No. 1168

Introduced by Senator Pavley

February 20, 2014

An act to ~~amend Sections 10752 and 10753.7 of, and to add Part 2.74~~ (commencing with Section 10720) to Division 6 of, the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

SB 1168, as amended, Pavley. Groundwater management.

Existing law authorizes local agencies, as defined, to adopt and implement a groundwater management plan. Existing law requires a groundwater management plan to contain specified components and requires a local agency seeking state funds administered by the Department of Water Resources for groundwater projects or groundwater quality projects to do certain things, including, but not limited to, prepare and implement a groundwater management plan that includes basin management objectives for the groundwater basin.

~~This bill also would require a local agency to determine sustainable yield for a groundwater basin in coordination with other applicable local agencies whose service areas overlie the groundwater basin.~~

This bill would enact the Sustainable Groundwater Management Act, and would state as the intent of the Legislature that, among other things, all groundwater basins and subbasins shall be managed sustainably by local entities pursuant to an adopted sustainable groundwater management plan. This bill would authorize unspecified entities to develop a sustainable groundwater management plan, defined as a document that describes the activities intended to be included in a

groundwater management program, to be developed and adopted to encompass an entire basin or subbasin in an unspecified manner, and according to an unspecified schedule. This bill would authorize, under unspecified conditions, the state to take action to cause a sustainable groundwater management plan to be developed, adopted, and implemented.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 2.74 (commencing with Section 10720) is
2 added to Division 6 of the Water Code, to read:

3
4 PART 2.74. SUSTAINABLE GROUNDWATER
5 MANAGEMENT

6
7 CHAPTER 1. GENERAL PROVISIONS

8
9 10720. This part may be known, and may be cited, as the
10 Sustainable Groundwater Management Act.

11 10721. In enacting this part, it is the intent of the Legislature
12 that all of the following occur:

13 (a) All groundwater basins and subbasins shall be managed
14 sustainably by local entities pursuant to an adopted sustainable
15 groundwater management plan.

16 (b) Attention to develop, adopt, and implement a sustainable
17 groundwater management plan shall be directed first to high and
18 medium priority groundwater basins and subbasins.

19 (c) Upon a finding of compelling state interest, the state shall
20 have recourse to cause a sustainable groundwater management
21 plan to be developed, adopted, and implemented where local
22 interests either cannot or will not do so themselves.

23 10722. This part applies to all groundwater basins and
24 subbasins in the state.

25
26 CHAPTER 2. DEFINITIONS

27
28 10725. Unless the context otherwise requires, the following
29 definitions govern the construction of this part:

1 (a) “Groundwater” means all water beneath the surface of the
2 earth within the zone below the water table in which the soil is
3 completely saturated with water, but does not include water that
4 flows in known and definite channels.

5 (b) “Groundwater basin” means any basin or subbasin identified
6 in the department’s Bulletin No. 118, dated September 1975, and
7 any amendments to that bulletin, but does not include a basin in
8 which the average well yield, excluding domestic supply wells
9 that supply water to a single-unit dwelling, is less than 100 gallons
10 per minute.

11 (c) “Groundwater extraction facility” means a device or method
12 for the extraction of groundwater within a groundwater basin.

13 (d) “Groundwater recharge” means the augmentation of
14 groundwater, by natural or artificial means, with surface water or
15 recycled water.

16 (e) “Local groundwater management entity” means ____.

17 (f) “Recharge area” means the area that supplies water to an
18 aquifer in a groundwater basin and includes multiple wellhead
19 protection areas.

20 (g) “Sustainable groundwater management” means the
21 management of a groundwater basin to provide for multiple
22 long-term benefits without resulting in or aggravating conditions
23 that cause significant economic, social, or environmental impacts
24 such as long-term overdraft, land subsidence, ecosystem
25 degradation, depletions from surface water bodies, and water
26 quality degradation, in order to protect the resource for future
27 generations.

28 (h) “Sustainable groundwater management plan” or “plan”
29 means a document that describes the activities intended to be
30 included in a groundwater management program.

31 (i) “Sustainable groundwater management program” or
32 “program” means a coordinated and ongoing activity undertaken
33 for the benefit of a groundwater basin, or a portion of a
34 groundwater basin, pursuant to a groundwater management plan
35 adopted pursuant to this part.

36 (j) “Watermaster” means a watermaster appointed by a court
37 or pursuant to other provisions of law.

38 (k) “Wellhead protection area” means the surface and subsurface
39 area surrounding a water well or well field that supplies a public

1 water system through which contaminants are reasonably likely
2 to migrate toward the water well or well field.

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4 CHAPTER 3. SUSTAINABLE GROUNDWATER MANAGEMENT
5 PLANS
6

7 10730. A plan shall be developed and adopted according to
8 the following schedule:

9 (a) _____.

10 10731. The process for developing and adopting a plan shall
11 include the following:

12 (a) _____.

13 10732. A plan shall include the following:

14 (a) _____.

15 10733. A plan shall encompass an entire basin or subbasin.

16 10734. Upon adoption of a plan, a copy of the plan shall be
17 provided to the following:

18 (a) _____.

19
20 CHAPTER 4. LOCAL GROUNDWATER MANAGEMENT ENTITIES
21

22 10735. A plan may be developed by the following new or
23 existing entities:

24 (a) _____.

25 10736. In addition to any other powers an agency designated
26 as a local groundwater management entity may be granted by law,
27 a local groundwater management entity shall have and may exercise
28 the following powers:

29 (a) _____.

30 10737. A local groundwater management entity may enforce
31 the provisions of a plan as follows:

32 (a) _____.

33
34 CHAPTER 5. FINANCING
35

36 10740. _____.

CHAPTER 6. ENFORCEMENT

10745. Under the following conditions, the state may take action to cause a sustainable groundwater management plan to be developed, adopted, and implemented.

(a) _____.

**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, April 10, 2014. (JR11)**

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